

7/18/08 #12

IN THE UNITED STATES PATENTS AND TRADEMARK OFFICE

In re Application of:

Mu-Lin Chen)
Application No. 09/781,246) Group Art Unit: 3728
Filed: February 13, 2001) Examiner: Smith, James G.

For: RATCHET WRENCH

Attn: Office Of Petitions
Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VIRGINIA 22313-1450

July 18, 2008

RENEWED PETITION UNDER 37 CFR 1.137(b)

Dear Sir/Madam,

1. We refer to the recent decision on Petition dated May 20, 2008.
2. As mentioned in previous petitions, the major delay in responding to the Notice of abandonment was due to recovery time after suffering a heart attack.
3. The inventor didn't fully understand the significance of the letter of abandonment, since he is not a native English speaker. His understanding was that it was just another letter regarding his case but he didn't fully comprehend that the Official communication meant that the case was being dismissed.
4. It wasn't until, some time later when he approached another patent agent that he realized the status of his case.
5. The inventor did not approach me until after having been in touch with a few more attorneys.
6. Attached with the petition is a statement provided by the inventor as requested in the petition.

We trust this information will satisfy the Examiner's request for more information of the circumstances surrounding this case.

We look forward to hearing from you soon.

Respectfully submitted,

/LEONG C. LEI/

Leong C. LEI (Reg. No. 50402)
PMB 1008, 1867 Ygnacio Valley Rd.
Walnut Creek, CA 94598
Tel: 905 812 9381 Fax: 905 286 9781

STATEMENT OF FACT

I, Mu-Lin Chen, supply the following in answer to the Official notification from the Office of Petitions dated May 20, 2008.

1. I was not aware of the non-final rejection November 9, 2001 because I am not a native-English speaker.
2. My intention was to proceed further with the notice of abandonment however my attempts were delayed because of a heart-attack.
3. It was always my intention to continue with the case but for reasons related to my hospitalization and eventual recovery; those intentions were delayed.
4. After sufficient recovery time, I have approached approximately three other patent attorneys for help with this case, however I have been advised they there was a small chance of reviving the application because of the time-frame.
5. I finally approached Mr. Lei some time later for his advice and assistance and he was very positive about the outcome even though there was a slight chance for dismissal.
6. Petition for withdrawal of abandonment was submitted on January 29, 2007.

Signed by: CHEN MU-LIN
Date: July 18, 2008